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VIA ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: *United States v. Thomas J. Barrack*
Criminal Docket No. 1:21-CR-371-2 (BMC)**

Dear Judge Cogan:

We write regarding (1) the upcoming status conference in this case, which is currently scheduled to take place in person on March 22, 2022 at 5 p.m., (2) the pending motions to dismiss that were filed by Mr. Barrack and Mr. Grimes (Docket Nos. 67 and 69), and (3) the *Curcio* letter that was filed earlier today by the government (filed under seal).

Counsel for Mr. Barrack has conferred with counsel for Mr. Grimes and counsel for the government about the status conference. The parties respectfully request the Court to advise the parties whether the Court intends to hear argument on the pending motions to dismiss at the March 22 status conference, or whether it intends to set a separate date (if it intends to hear argument on those motions).

If the Court does not intend to hear argument on the motions on that date, the parties respectfully request that the March 22 status conference be held remotely by videoconference.

Finally, counsel for Mr. Barrack would like an opportunity to respond to the government's March 15 *Curcio* letter. The parties have conferred and propose that counsel for Mr. Barrack file our response to the *Curcio* letter by Friday, March 25 (or whatever date is most convenient for the Court), and that any hearing (if one is necessary) be scheduled after that response is filed.

Respectfully submitted,

/s/ Daniel M. Petrocelli

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